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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/766,669	01/23/2001	Patrice Claviez-Homberg	DATA-B0012	2836

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William A. Drucker  
1901 L Street, N.W.  
Suite 800  
Washington, DC 20036-3506

EXAMINER
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GRAHAM, CLEMENT B

ART UNIT	PAPER NUMBER
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3628

DATE MAILED: 02/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/766,669

Applicant(s)

CLAVIEZ-HOMBERG, PATRICE

Examiner

Clement B Graham

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on January 32, 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hidding U.S. Patent No. 5, 519, 624 in view of Wolf U.S. Patent No. 5, 848, 413.

As per claims 1-19, Hidding discloses method for checking the use of a system for transmitting ("i. e, processing instructions") information in the form of multidimensional matrix codes, ("i. e, enclosure codes and identification codes") said system using a computer linked to a data base containing identification and addressing data of addressees and programmed so as to carry out the following operations.(see column 5 lines 1-40) for each addressee, the setting up of an identification information (i. e, name, zip code or client number") sequence including the identification data ("i. e, identification codes") of the addressee and each document("i. e, enclosure codes") to be sent to it. (see column 5 lines 25-40) the coding of the identification information sequences respectively in the form of dot matrixes whose number and position in each matrix indicate the value and position in the sequence of each information unit composing the identification information sequence. (see 5 lines 24-32) the formatting and customization ("i. e, merging or adding ") of the documents for each addressee .(see column 5 lines 39-40) including the insertion of the identification matrix of the addressee and the document in the portion of the document .(see column 5 lines 1-40) to be sent back by the addressee, the transmission by the system of the customized documents to the corresponding addressees.(see column 5 lines 1-45).

Hidding fail to explicitly teach the receiving by the system of the documents returned by the addressees, the reading and decoding of the identification matrixes featured on the documents received and the processing of said documents in association with the read and decoded identification data and wherein it consists of allocating to each user an electronic

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circuit able to be connected to the computer and including a memory able to be accessed on reading and writing by said computer, said memory containing information relating to an access code the operator is to transmit to the computer so as to be able to use the method and to a credit allocated to the user, this credit being automatically decremented by the computer at the tune of each use according to the parameters relating to this use.

However Wolf discloses once the desired documents have been obtain, gateway creates an image of each documents for transmission to the user processing. In one embodiment, gateway creates images by parsing, formatting and rendering the documents. The parsing of the documents, as well as formatting and rendering of the parsed documents, includes the conversion of document identifiers/locators associated with the retrieved documents to a machine readable code (e.g., bar code, digital paper, etc.) to be included in the images faxed to the user (to enable user selection of additional documents). Rendering is necessary for most documents to convert the data from ASCII to a raster bitmap, the protocol used by fax machines (and other marking engines) and then the processing logic of gateway searches the documents for circled regions (non-painted regions) based on the pixel color until the circled regions are obtained. Once located, the information in the circled regions is extracted and the present invention may also allow the user using fax machine to publish documents on the Web. FIG. 7 illustrates the process of the present invention for publishing a document on the Web. Referring to FIG. 7, in order to publish documents on the Web, a user initially obtains a hard copy of the documents to be published processing. In one embodiment, the user prints a copy of the document or receives the document from another source. The user then faxes the hard copy to a gateway server processing. In one embodiment, gateway also acts as the gateway server.(see column 6 lines 38-53 and column 7 lines 5-9 and column 7 lines 29-39)

Wolf and Hidding fail to explicitly teach wherein it consists of allocating to each user an electronic circuit able to be connected to the computer and including a memory able to be accessed on reading and writing by said computer, said memory containing information relating to an access code the operator is to transmit to the computer so as to be able to use the method and to a credit allocated to the user, this credit being automatically decremented by the computer at the tune of each use according to the parameters relating to this use.

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However allocating to each user an electronic circuit able to be connected to the computer and including a memory able to be accessed on reading and writing by said computer, said memory containing information relating to an access code the operator is to transmit to the computer so as to be able to use the method and to a credit allocated to the user, this credit being automatically decremented by the computer at the tune of each use according to the parameters relating to this use would have been obvious because these functions would have been performed after the main processing and therefore would have been intended use of the system.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Hidding and Wolf to include allocating to each user an electronic circuit able to be connected to the computer and including a memory able to be accessed on reading and writing by said computer, said memory containing information relating to an access code the operator is to transmit to the computer so as to be able to use the method and to a credit allocated to the user, this credit being automatically decremented by the computer at the tune of each use according to the parameters relating to this use would have been obvious because these functions would have been performed after the main processing and therefore would have been intended use of the system.

#### Conclusion

3. The prior art of record and not relied upon is considered pertinent to Applicants disclosure.

Martin(US 6,304,860 Patent ) teaches automated depth payment system and method using atm network.

Altman (US Patent 5,689,649) teaches system for operation of a combination mortgage equity load and saving plan .

George (US Patent 5,946,668) teaches system and method for funding a home investment trust.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clement B Graham whose telephone number is 703-305-1874. The examiner can normally be reached on 7am to 5pm.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on 703-308-0505. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-0040 for regular communications and 703-305-0040 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

CG

February 2, 2005

  
FRANTZY POINVIL  
PRIMARY EXAMINER  
Au 3628